



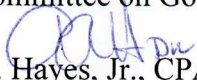
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May 2, 2012

MEMORANDUM

TO: The Honorable Mike Bell, Chair
Senate Committee on Government Operations

The Honorable Jim Cobb, Chair
House Committee on Government Operations

FROM:  Arthur A. Hayes, Jr., CPA
Director of the Division of State Audit

SUBJECT: Follow-up on Finding 4 of the April 2011 Human Rights Commission performance audit

Public Acts 2011, chapter 32, section 3, required that the Division of State Audit review actions taken by the Human Rights Commission "to address the internal control issues raised in the fourth finding in the April 2011 performance audit report." We found the commission has taken sufficient action to resolve the finding but should consider how it can improve the customer survey response rate, which serves to verify investigator contact. After discontinuing the practice in 2008, the commission reinstated placing random phone calls to witnesses to verify contact as documented in case files and also resumed sending customer service surveys to complainants, respondents, or their representatives.

Background

In 2008, a Division of State Audit investigation found that a commission investigator falsified case records to document interviews which never occurred. The investigation report recommended that the commission improve internal controls over case work, including verifying witness contacts on a random basis. The commission took several steps to minimize the threat of the problem reoccurring, including having a staff person independently confirm a sample of interviews from each investigator. But in the 2011 performance audit, we found that

“Human Rights Commission management failed to maintain a key internal control that was recommended and accepted in response to a State Audit investigation of falsified case information.” The commission had discontinued the practice of confirming a sample of interviews after four months because it was labor intensive and the staff person making the confirming calls left the commission. The performance audit reiterated the recommendation of the 2008 investigation that the commission institute periodic random follow-up contacts with case witnesses to help minimize the threat of abuse.

In its response to the audit, the commission stated that it agreed that random checks on witness contacts would be an effective means of deterring investigators from falsifying witness contact information. It cited staff and budget limitations as the reasons it could not continue to randomly verify witness contacts.

Follow-up Information

In its October 2011 follow-up report, the commission stated:

On July 1, 2011 the commission reinstated placing random phone calls to witnesses in cases to verify contact as documented in case files. At the end of each month, commission staff randomly select two case files per employment investigator and one case file per housing investigator and place calls to witnesses listed to verify that they were contacted. Any discrepancy between what is documented in the case file and what is verified during the witness phone call is to be immediately reported to the Executive Director and Deputy Director’s attention.

Additionally, the commission resumed sending customer service surveys to complainants, respondents or their representatives to determine the level of service that is being provided during complaint investigations. It is the commission’s hope that the results from these two procedures will help us to identify any weaknesses in customer service and help us to improve. The procedures and emails communicating the implementation of the witness verification calls and customer service surveys are included as Attachment 4.

We reviewed the documents in Attachment 4 and interviewed the commission’s executive director to determine the current process for verifying witness contacts. The

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commission has been again calling witnesses to verify interviews (at least 2 per case if possible) and surveying complainants and respondents during the 30-day period following notice of case closure and official case closure following the end of the 30-day appeal period. Regional supervisors review closed cases with the staff investigators, who must rationally defend why they may not have interviewed all available witnesses. From June through December 2011, the commission had called 134 witnesses but only reached 40 to actually interview; it had sent surveys to 701 complainants and respondents and but only received 48 back. The results of witness calls and customer service surveys are reviewed by the executive director.

The commission has taken sufficient steps to address the finding. However, commission management may wish to consider additional ways to improve the customer satisfaction survey response rate.

Cc: Ms. Beverly L. Watts, Executive Director, Human Rights Commission